

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

TRAVELERS CASUALTY AND  
SURETY COMPANY OF AMERICA,  
as subrogee and assignee of  
Alpine Bank,

Plaintiff,

vs.

IGNITION STUDIO, INC.,

Defendant.

) Case No. 1:15-cv-00608  
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) District Judge: Milton I. Shadur  
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) Magistrate Judge: Daniel G. Martin  
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**DECLARATION OF LEE ANDERSON**

1. I am the President of Ignition Studio, Inc. ("Ignition"), a corporation organized and existing under the laws of the State of Illinois, and have personal knowledge of the facts set forth herein.

2. Ignition currently conducts its business operations from a single facility located at 1444 Myott Ave., Rockford, Winnebago County, Illinois, and has conducted its business from that single location since October of 2013. Prior to 2013, Ignition conducted its business from a single facility located at 610 E. State Street, Rockford, Winnebago County, Illinois, and was conducting its business at that facility in the years 2007 through October 2013.

3. On or about July 9, 2007, Ignition entered into an agreement with Alpine Bank pursuant to which Ignition agreed to provide certain services more fully described therein, including, but not limited to website design and website hosting services for Alpine Bank and Belvidere Bank.

4. The agreement between Ignition and Alpine Bank is documented in a written proposal signed by Lesley Couper of Alpine Bank on July 5, 2007 in Rockford, Winnebago



County, Illinois, and by me on behalf of Ignition on July 9, 2007, in Rockford, Winnebago County, Illinois.

5. All communications between Alpine and Ignition with respect to the negotiation of the agreement, the design and security for the website, and the maintenance and hosting of the website occurred in Winnebago County, Illinois, and all design services performed by Ignition were performed in Winnebago County, Illinois.

6. The website was hosted on a server leased by Ignition from Crystaltech Crystaltech Web Hosting, Inc. (d/b/a Newtek) ("Crystaltech"), and all of Ignition's communications with Crystaltech were conducted by Ignition from its office in Rockford, Illinois.

7. On or about September 12, 2012, I was notified by Alpine Bank that a hacker had illegally gained access to Alpine's website.

8. In or about May of 2013, Ignition purchased from Crystaltech the hard drive from the server that was the subject of the alleged data breach referenced in the preceding paragraph of this Declaration. The hard drive is stored at Ignition's facility in Rockford, Winnebago County, Illinois.

9. Ignition currently has a total of seven (7) employees, including its two shareholders.

10. The following people are known by me to have knowledge of the matters relevant to this litigation, and should the matter proceed to trial, some or all of these persons may testify as witnesses in this case:

a. Ignition's two shareholders: Gordon Bottum, who resides in Roscoe, Winnebago County, Illinois, and me, who resides in Rockford, Winnebago County,

Illinois. Mr. Bottum and I will each testify as to the nature and scope of their services to Alpine, our communications with Alpine regarding our services, as well as to the security measures implemented by Ignition to secure Alpine's customer data.

b. Ignition's former developer, Stephen Withington, who lives in Freeport, Stephenson County, Illinois. Mr. Withington will testify as to the design of Alpine's website, the intended use of the website, and the security measures employed to secure Alpine's customer information.

c. Lesly Couper, an employee of Alpine, who resides in Rockford, Winnebago County, Illinois. Ms. Couper is a member of Alpine's marketing department, and was Ignition's direct point of contact with respect to the Alpine website project. She will presumably be able to testify concerning the design, intended purpose, and use of the website.

d. Heather Wick, an employee of Alpine, who resides in Belvidere, Boone County, Illinois. Ms. Wick is a member of Alpine's marketing department, and had contact with Ignition concerning the Alpine website project. She will presumably be able to testify concerning the design, intended purpose, and use of the website.

e. Nellie Miller, a former employee of Alpine, who resides in Rockford, Illinois. Ms. Miller is a member of Alpine's marketing department, and had contact with Ignition concerning the Alpine website project. She will presumably be able to testify concerning the design, intended purpose, and use of the website.

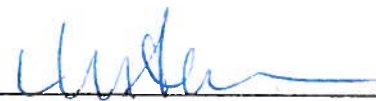
f. Sinae Kallal, a former employee of Alpine, who resides in Poplar Grove, Boone County, Illinois. Ms. Kallal was a member of Alpine's information technology department, and worked with Ignition with respect to the design of the Alpine website.

She will presumably be able to testify concerning the design, intended purpose, and use of the website, as well as the security measures implemented by Ignition with respect to the website.

g. A corporate representative of Crystaltech, who will in all likelihood be a resident of Arizona. Crystaltech's corporate representative is anticipated to testify as to the measures implemented by Crystaltech to secure data stored on computer servers hosted by Crystaltech.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3<sup>rd</sup> day of March, 2015.

  
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Lee Anderson